



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

MEH:ddj

Docket No: 6307-00

19 December 2000

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

[REDACTED]

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 19 December 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CMC memorandum 1001/1 MMEA-6 of 30 November 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:

1001/1

MMEA-6

2000

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: BCNR DOCKET NO. 06307-00 CASE OF [REDACTED]

1. We have carefully reviewed Sergeant [REDACTED] case and recommend his request for a contract modification and subsequent entitlement to a Selective Reenlistment Bonus (SRB) be denied.
2. Sergeant [REDACTED] requested a 48 month reenlistment on 18 April 2000 and was approved on 26 April 2000. He executed this reenlistment authority on 24 June 2000. Sergeant [REDACTED] is contending he was eligible to extend vice reenlist. This is incorrect. Sergeant [REDACTED] is a career Marine and was eligible for reenlistment. He was advised correctly to request and execute reenlistment authority. Per MCO P1040.31H, Enlisted Career Planning and Retention Manual, paragraph 4200.2(a), "Extensions are intended to provide sufficient obligated active service to allow a Marine to serve a tour of specified length. They are not to be used in lieu of reenlistments." The request was properly handled and executed by his career planner. Additionally, per paragraph 4200.2 (b)(1), local commanders can only authorize up to 14 months to meet obligated service. Sergeant [REDACTED] would have had to request an extension of 23 months in order to meet service obligations. This request would have been denied since Sergeant Costello was reenlistment eligible.
3. On 24 July 2000, The Marine Corps announced, via MARADMIN 369/00, "to be eligible for a SRB, a Marine must execute a 48 month reenlistment on or after 24 July 2000." Sergeant [REDACTED] executed his authority to reenlist almost four weeks prior to publication of MARADMIN 369/00. Therefore, Sergeant [REDACTED] is not eligible for a SRB, Zone B multiple of (1) in primary military occupational specialty (PMOS) 7051.
4. Point of contact is Gunnery Sergeant [REDACTED] DSN 278-9235.


R.W. SPOONER

GS-13

ASSISTANT HEAD, ENLISTED ASSIGNMENT BRANCH